

H-8124

1 Amend House File 2420 as follows:

2 1. Page 6, after line 13 by inserting:

3 <Sec. _____. NEW SECTION. 20.33 Employer and labor
4 organization communications.

5 1. As used in this section, unless the context
6 otherwise requires, "*political matters*" includes
7 political party affiliation or the decision to join or
8 not join any lawful political, social, or community
9 group or activity or any employee organization.

10 2. a. Any public employer shall not require
11 the public employer's public employees to attend
12 an employer sponsored meeting or participate in
13 any communications with the public employer, the
14 primary purpose of which is to communicate the public
15 employer's opinion about religious or political
16 matters, except that a public employer may communicate
17 to employees information about religious or political
18 matters that the public employer is required by law
19 to communicate, but only to the extent of such legal
20 requirement.

21 b. An employee organization shall not require the
22 employee organization's public employee members to
23 attend a meeting sponsored by the employee organization
24 or participate in any communications with the employee
25 organization, the primary purpose of which is to
26 communicate the employee organization's opinion about
27 religious or political matters, except that an employee
28 organization may communicate to members information
29 about religious or political matters that the employee
30 organization is required by law to communicate, but
31 only to the extent of such legal requirement.

32 3. a. A public employer shall not discharge,
33 discipline, or otherwise penalize or threaten to
34 discharge, discipline, or otherwise penalize any public
35 employee because the public employee, or a person
36 acting on behalf of the public employee, makes a good
37 faith report, verbally or in writing, of a violation or
38 suspected violation of this section. This subsection
39 shall not apply if the public employee knows that such
40 report is false at the time the report is made.

41 b. An employee organization shall not discharge,
42 discipline, or otherwise penalize or threaten to
43 discharge, discipline, or otherwise penalize any public
44 employee member of the employee organization because
45 the public employee, or a person acting on behalf
46 of the public employee, makes a good faith report,
47 verbally or in writing, of a violation or suspected
48 violation of this section. This subsection shall not
49 apply if the public employee knows that such report is
50 false at the time the report is made.

1 4. A public employee alleging to be aggrieved by
2 a violation of this section may file a civil action
3 within ninety days after the date of the alleged
4 violation in a court of competent jurisdiction in the
5 county where the violation is alleged to have occurred
6 or where the public employer or employee organization
7 has its principal office. The court may award a
8 prevailing public employee all appropriate relief,
9 including reinstatement, back pay, and reestablishment
10 of any public employee or employee organization
11 benefits to which the public employee would otherwise
12 have been eligible if such violation had not occurred.
13 The court shall award a prevailing public employee
14 treble damages in an amount up to three times the
15 amount of all other damages awarded, reasonable
16 attorney fees, and costs.

17 5. This section shall not be construed to limit
18 a public employee's right to bring any other action
19 allowed by law against a public employer for wrongful
20 termination or to diminish or impair the rights of a
21 person under any collective bargaining agreement.

22 6. This section shall not prohibit any of the
23 following:

24 a. A political organization from requiring its
25 employees to attend a public employer sponsored meeting
26 or to participate in any communications with the
27 public employer or its agents or representatives, the
28 primary purpose of which is to communicate the public
29 employer's political tenets or purposes.

30 b. An institution of higher education from
31 requiring student instructors to attend lectures on
32 religious or political matters that are part of the
33 regular coursework at such institution.>

34 2. Title page, line 1, after <An Act> by inserting
35 <concerning employment, by providing for public
36 employer and employee organization communications and>

37 3. By renumbering as necessary.

TYMESON of Madison